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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,013	08/14/2001	Saravanan Shanmugham	2705-177	1911

7590 01/19/2005
 Marger Johnson & McCollom, P.C.
 1030 SW Morrison Street
 Portland, OR 97205

EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/930,013

Applicant(s)

SHANMUGHAM, SARAVANAN

Examiner

Martin Lerner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 84 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 to 84 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Ex Parte Quayle

1. This application is in condition for allowance except for the following formal matters:

2. The title of the invention is too long. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested:

Distributed Speech System with Buffer Flushing on Barge-In

3. The disclosure is objected to because of the following informalities:

On page 5, line 8, "Fig.s" should be —Figs.—

On page 11, line 33, insert —is— before "transmitted".

Appropriate correction is required.

4. Claims 6, 7, 15, 16, 27, 28, 36, 37, 48, 49, 57, 58, 68, 69, 78, and 79 are objected to because of the following informalities:

Each of these claims recites either "a RTP packet" or "a NSE packet". One skilled in the art would not necessarily immediately understand these abbreviations. Page 5, Line 4, of the Specification discloses "NSE" as an abbreviation for "Named Signaling Event", and "RTP" is apparently an abbreviation for "Real Time Transfer Protocol". Applicant should write out the words in full for these abbreviations so as to clarify these claims for those skilled in the art.

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Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

5. Claims 1 to 84 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent claims 1, 13, 22, 34, 43, 55, 64, and 78, the prior art of record does not disclose or suggest flushing (or purging) a buffer upon detecting a barge-in event (or a barge-in sound). *Wildfeuer, Chapman et al., and Smyth et al.* disclose that it is known to utilize a jitter buffer for receiving audio packets. Particularly, *Wildfeuer* discloses flushing voice packets in a frame delay buffer 66 upon detection of a DTMF signal for transmission to reduce packet transmission delay of in-band signals. (Column 7, Lines 12 to 22; Figure 7, Step 218) However, *Wildfeuer* flushes a frame delay buffer 66 for transmitting packets instead of jitter buffer 32 for receiving packets, and does not disclose barge-in. *White et al.* teaches a distributed voice user interface having barge-in components 38 and 66. (Column 11, Line 65 to Column 12, Line 13; Column 15, Lines 27 to 52) However, *White et al.* does not say anything about flushing a buffer upon barge-in. Normally, those skilled in the art would expect barge-in to cease

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playing a prompt, but not necessarily flush a buffer. Applicant's Specification, Pages 1 to 3, suggests an advantage of improving response time to barge-in for distributed speech systems. The prior art does not suggest the combination of flushing (or purging) a buffer upon detecting a barge-in event (or a barge-in sound) in order to improve response time for distributed speech systems.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Wildfeuer, Chapman et al., Smyth et al., White et al., Maes et al., Goode et al., Klein, and Brittan et al. disclose related art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ML
1/13/05



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SUPERVISORY PATENT EXAMINER